

REMARKS

Claims 7-18, 21, and 22 are pending in the present application after this amendment cancels withdrawn claims 1-6 and claims 19 and 20. Claims 7-9, 11-18, 21, and 22 are amended. No new matter is added by the amendments and new claims, which are supported throughout the specification and figures. In view of the following remarks, favorable reconsideration of this application is respectfully requested.

Applicants note with appreciation that the Examiner acknowledges that claims 15 and 16 are directed to patentable subject matter. Applicants note that claims 15 and 16, which are directed to image processing apparatuses, should properly have depended from claims 11 and 12, respectively, rather than claim 9 and 10, which are directed to image processing methods. Applicants therefore amend claims 15 and 16 to include the features of claims 11 and 12, and respectfully submit that the amended, independent claims are allowable.

Claims 20 and 21 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. The Office Action asserts that claims 20 and 21 define a computer program embodying functional descriptive material. Applicants submit that the rejection should properly have been with respect to claims 19 and 20, since claim 21 is directed to a computer-readable recording medium. Additionally, Applicants cancel claims 19 and 20 and therefore submit that the rejection is obviated.

Claims 7-14 and 19-22 are rejected under 35 U.S.C. § 102(b) as being anticipated by European Patent No. 0 980 181 to Basilico (hereinafter Basilico). Applicants respectfully traverse.

Applicants submit that the rotational movement of Basilico, which is of the camera, is significantly different than the rotation in the present invention, which is of a frame on which the

camera is fixed at an outer edge. Applicants amend each of the independent claims to recite the feature that the “axis of rotation of the camera being displaced from a line of the shooting direction”. The amendment is supported throughout the specification and figures, and especially by figures 1-3. Applicants submit that Basilico apparently discloses an axis of rotation of the camera aligned with the position of the camera, i.e., the direction of shooting. Therefore, Applicants submit that for at least this reason the amended claims are allowable.

Claims 11, 12, 17 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,883,695 to Paul (hereinafter Paul) in view of Basilico. Applicants respectfully traverse.

The Office Action admits that Paul does not disclose several features of the claims. The Office Action asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the functionality disclosed by Basilico with the image capture disclosed by Paul in order to ensure the production of properly aligned stereoscopic images. Applicants submit that the motivation to combine the references is improper since the disclosures of the two references are incompatible. Basilico apparently shows a camera itself rotating about its own axis, while Paul apparently discloses a camera moving around a central axis. In Basilico, the camera itself rotates, while in Paul, the camera apparently maintains a particular orientation. Applicants submit that the significant differences between Paul and Basilico make the references incompatible. Basilico teaches that monitor 4 is set in rotation by means of a belt 7 driven by a pinion 8. In contrast, the claimed invention is directed to an image processing apparatus directed to extracting images of objects to be parallel with each other, detecting the angles of rotation, and rotating the images to obtain images parallel with each other – all this by means of image

processing. Neither Basilico nor Paul discloses or suggests the claimed feature of obtaining stereoscopic images by means of image processing.

Additionally, Applicants have amended the claims to include the feature that an axis of rotation of the camera being displaced from a line of the shooting direction. It is respectfully submitted that Basilico does not disclose or suggest this feature. Likewise, Paul does not disclose a camera rotating, and therefore also does not disclose or suggest this feature. Therefore, for at least this additional reason, claims 11, 12, 17 and 18 are allowable.

Each of the dependent claims is allowable for at least the same reasons as their respective base claim is allowable.

In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

/Brian E. Hennessey/

Brian E. Hennessey
Reg. No. 51,271

CUSTOMER NUMBER 026304

Telephone: (212) 940-6311

Fax: (212) 940-8986

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